

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 18-121**—sHB 5454

*Environment Committee*

**AN ACT CONCERNING NINETY-DAY PERMIT TURNAROUND TIMES  
FOR THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL  
PROTECTION**

**SUMMARY:** This act requires the Department of Energy and Environmental Protection (DEEP) to make best efforts to review and make a final determination on certain permit applications within 90 days after receiving a completed application. DEEP must identify, and notify an applicant in writing of, all deficiencies in an application within 90 days of receiving it. The applicant may grant DEEP additional time for its review in writing. The act applies to permit applications received by DEEP before, on, or after the act's passage.

Under prior law, specified applications were automatically approved if DEEP did not make a final determination on them within 90 days. The act eliminates this automatic approval provision.

The act's 90-day turnaround time provision applies to 29 specified types of permit applications, as shown in Table 1. Prior law's automatic approval provision applied to 45 types of applications, some of which were not for permits.

Lastly, the act requires DEEP's commissioner to establish a pilot program to expedite the issuance of permits. Under the program, he may use up to two licensed environmental professionals (LEPs) (see BACKGROUND) or other qualified environmental professionals he certifies as experts on relevant environmental protection regulations and principles. The commissioner may establish fees for the expedited service and must retain authority for issuing the permits.

**EFFECTIVE DATE:** Upon passage

**PERMIT APPLICATIONS AFFECTED**

Table 1 identifies the 29 types of permit applications subject to the act's 90-day turnaround time provision and their applicable statutory or regulatory citations, as identified in the act. Most of these applications were subject to the prior law's automatic approval provision.

Table 1: Permit Applications Subject to the Act's 90-Day Turnaround Time Provision

	<i>Permit Application</i>	<i>Citation</i>
1	Air permits for the temporary use of radiation DTX or RMI	CGS § 22a-150

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	<b>Permit Application</b>	<b>Citation</b>
2	Aquifer protection registration	Conn. Agencies Regs. § 22a-354i-7
3	Certificate of permission	CGS § 22a-363b
4	Disposal of special waste	CGS § 22a-209 and related regulations
5	Collecting waste oil, petroleum, chemical liquids, or hazardous waste	CGS § 22a-454
6	E-waste manufacturer	CGS § 22a-630
7	Emergency discharge authorization	CGS § 22a-6k(a)
8	Online sportsmen licensing system	None specified
9	State park passes and bus permits	CGS § 23-26
10	State parks and forests special use licenses	CGS § 23-11
11	Camping site leases	CGS §§ 23-16 & 23-16a
12	Boating permits	CGS § 15-140b
13	Safe boating certifications	CGS § 15-140e
14	Marine event permits	Conn. Agencies Regs. § 15-121-A6
15	Marine dealer certificates	Conn. Agencies Regs. § 15-121-B5
16	Navigation marker permit	Conn. Agencies Regs. § 15-121-A5
17	Regulatory marker permit	Conn. Agencies Regs. § 15-121-A5
18	Water ski slalom course or jump permit	CGS § 15-134
19	Inland fishing licenses	CGS § 26-112
20	Marine recreational and commercial licenses	None specified
21	Hunting and trapping	CGS § 26-30
22	Non-shooting field trial	Conn. Agencies Regs. § 26-51-2
23	Private land shooting preserve permit	CGS § 26-48

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	<b>Permit Application</b>	<b>Citation</b>
24	Regulated hunting dog training	CGS §§ 26-49, 26-51, & 26-52
25	Scientific collection permit for aquatic species, plants, and wildlife and for educational mineral collection	CGS § 26-60
26	Commercial fishing licenses and permits	CGS § 26-142a
27	Nuisance wildlife control operator	CGS § 26-47(b)
28	Taxidermist	CGS § 26-58
29	Wildlife rehabilitator	CGS § 26-54

Prior law's automatic approval provision also applied to the following applications, which are not subject to the act's 90-day turnaround time provision:

1. aquifer protection (but see aquifer protection registration in Table 1),
2. coastal management consistency review form for federal authorization,
3. emergency authorization to discharge to groundwater to remediate pollution,
4. property transfers,
5. marine terminals,
6. pesticide application by aircraft,
7. pesticides in state waters,
8. waste transportation,
9. E-waste covered recycler,
10. campground reservations and other camping permits (but see camping site leases in Table 1),
11. fishing tournaments,
12. commercial arborists,
13. LEPs,
14. pesticide certification and registration,
15. solid waste facility operator,
16. wastewater treatment facility operator certification, and
17. forest practitioner.

### BACKGROUND

#### *Licensed Environmental Professional*

An LEP is a person qualified by experience and education to engage in activities associated with investigating and remediating pollution, including the release of hazardous waste or petroleum products into soil or groundwater, who has passed a state examination (CGS § 22a-133v).